

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BLAIR CHIEFSTICK,

Defendant.

CR-13-29-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 4, 2021. (Doc. 78.) Blair Chiefstick (Chiefstick) filed an objection on February 17, 2021. (Doc. 79.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on February 2, 2021. (Doc. 73.) The United States accused Chiefstick of violating his conditions of supervised release by 1) by failing to report to his probation officer as directed; 2) by consuming alcohol on three separate occasions; 3) by failing to follow the instructions of his probation officer; 4) by knowingly having contact with a minor without obtaining the prior approval of his probation officer; 5) by failing to report

for substance abuse testing; 6) by failing to comply with the requirements of the Sex Offender Registration and Notification Act; 7) by failing to report for sex offender treatment; and 8) by committing another crime. (Doc. 71.) At the revocation hearing, Chiefstick admitted alleged violations 1, 2, 4, 5, 6, 8, 9, 10, 11 and 12. Chiefstick denied alleged violations 3 and 7. The Court dismissed alleged violations 3 and 7 on the government's motion. Judge Johnston found the violations Chiefstick admitted are serious and warrant revocation of Chiefstick's supervised release. Judge Johnston recommended Chiefstick should be incarcerated for 6 months, with 108 months of supervised release to follow, with the first 180 days of his supervised release in a residential re-entry center in Billings, Montana. Judge Johnston recommended Chiefstick serve his term of custody at the Federal Correctional Institution in Englewood Colorado. (Doc. 78.)

Chiefstick now opposes Judge Johnston's Findings and Recommendations, objecting to the requirement that the first 180 days of supervised release be served at the residential re-entry center that Judge Johnston recommended. (Doc. 79.)

The Court has reviewed Judge Johnston's Findings and Recommendations as well as Chiefstick's objection. The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations. Chiefstick's violations of his conditions represent a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the

Court revoke Chiefstick's supervised release and commit him to the custody of the Bureau of Prisons for 6 months. (Doc.78 at 4.) Judge Johnston further has recommended a term of 108 months of supervised release follow with the first 180 days spent in a residential re-entry center in Billings, Montana. (*Id.*) Accordingly,

IT IS HEREBY ORDERED that Chiefstick's objection is denied. Judge Johnston's Findings and Recommendations (Doc. 112) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Blair Chiefstick be sentenced to custody of the Bureau of Prisons for a term of 6 months, with 108 months of supervised release to follow with the first 180 days of supervised release in a residential re-entry center in Billings, Montana. Blair Chiefstick should serve his term of custody at the Federal Correctional Institution in Englewood, Colorado.

DATED this 5th day of March, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

